

ORDERED.

Dated: February 07, 2017



Catherine Peek McEwen
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

In re:

Chapter 13

JAMES S. MONCRIEFF,

Case No. 8:16-bk-05960-CPM

Debtor.

SUE MONCRIEFF

Plaintiff,

v.

Adv. No. 16-ap-00693-CPM

RICHARD EMIL METZ, JR.

Defendant.

ORDER DIRECTING MEDIATION

THIS CASE came on for hearing on February 6, 2017, for a pretrial conference. For the reasons stated orally and recorded in open court that shall constitute the decision of the Court, the Court finds that the dispute between the Plaintiff and the Defendant could possibly be resolved through mediation. Accordingly, it is

ORDERED:

1. The dispute between the Plaintiff and the Defendant is hereby directed to mediation, in accordance with M.D. Fla. L.B.R. 9019-2.

2. The parties shall have March 6, 2017 to mutually select a mediator and provide the Court the name of the agreed mediator by filing a notice of selection of mediator with the Court.

3. The Mediator shall be entitled to compensation at the Mediator's normal hourly rate to be paid equally by the parties. The Mediator may require that the parties pay all or some portion of the Mediator's fee before the mediation conference.

4. The mediation conference shall be completed no later than May 31, 2017.

5. Each party shall attend the mediation with counsel and the individual client or corporate client representative with full and absolute authority to agree to a mediated settlement. Telephonic appearance may be authorized in advance by the Mediator, at the Mediator's discretion. If an impasse is reached with respect to the mediation as a result of the failure of a party to comply with this requirement, such party may be liable for sanctions to include payment of all fees incurred by the other parties to this proceeding in connection with the mediation.

6. The Court requests that within five days following the conclusion of the mediation the Mediator file a Mediator's Report and Completion of Mediation indicating whether the proceeding/matters settled, was continued with the consent of the parties, or whether the Mediator was forced to declare an impasse.

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